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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/094,991 06/15/98 GASPARRINI

C 0140-4126

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EXAMINER

LAMB, R

ART UNIT

PAPER NUMBER

1734

DATE MAILED:

10/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/094,991

Applicant(s)

Gasparini et al

Examiner

Lomb

Group Art Unit

1734

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 6/26/01
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 46 and 49-50 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 46 and 49-50 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

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DETAILED ACTION

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. ~~Patentability shall not be negated by the manner in which the invention was made.~~

Claims 46 and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lomax in view of Goff et al.

Lomax teaches the design of a textile treating apparatus comprised of a means for mounting as supply roll (I) calendering means (b, c), liquid applying means h and means for forming a fabric supply roll (I'). The Lomax calendering means (b, c) and tensioning device (f) in cooperation together are obviously would result in stretching of the textile fabric such that the thickness is reduced and length of the textile strip on the shaft of the supply roll is increased due to elasticity of conventional forms of textile fabrics. Lomax fails to teach an excess adsorbent removal means for obtaining a strip of cleaning fabric saturated to functional equilibrium with liquid. However, it would have been obvious to modify the Lomax apparatus by arranging a solvent/liquid downstream of a impregnating means removal means such as taught Goff et al for obvious reason to enable one to recycle excess coating. With respect to claims 49-50, Lomax fails to teach a squeezer roll forming a nip with the Lomax applicator roll (h). However, it would have been obvious to modify the Lomax roll applicator system by providing a squeezer roll

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opposite the Lomax roll (h) since Goff et al teaches using doing so to obviously increased impregnation of the fabric.

Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vecchia.

Vecchia teaches the design of textile treating apparatus comprised of a means for mounting supply roll, calendering means, fabric fluid-applying means (element 18), an excess fluid removing means and means for forming a supply roll. Vecchia fails to teach the fabric fluid applying means applied an organic solvent or the calendar reduced thickness and increased the length of the strip. However, absent a clear recitation of the relationship between claimed elements, it would have been obvious that the Vecchia calenders reduce thickness and increased length due to the known elasticity of conventional forms of fabric. Further, it would have been obvious that the Vecchia fabric fluid applying means is structured and arranged to apply a variety of fluids to the fabric including those within the scope of the claims and obvious to do so to increase fluid contact with the fabric by using for example an organic surfactant.

Applicant's arguments with respect to claims 46 and 48-50 have been considered but are moot in view of the new ground(s) of rejection.

Claim 46 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 46 is confusing since it is unclear how the means for forming a cleaning fabric supply roll relates structurally to the means for mounting a bulk supply roll since each of the above cited means has a supply of cleaning fabric.

Any inquiry concerning this communication should be directed to Brenda A. Lamb at telephone number (703) 308-2056.

B.A. Lamb/dh

September 24, 2001

Bent adh 25
BRENDA A. LAMB
PRIMARY EXAMINER